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15 Attorneys for Respondent
16 **DISCORD INC.**

17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**

19 IN RE *EX PARTE* APPLICATION OF
20 PATH NETWORK, INC.; AND
21 TEMPEST HOLDING, LLC,

22 *Applicants.*

Case No. 3:23-mc-80148-PHK

Hon. Magistrate Judge Peter H. Kang

**DECLARATION OF NURY
SIEKKINEN IN SUPPORT OF
RENEWED REQUEST TO APPEAR
REMOTELY AT HEARING ON *EX
PARTE* APPLICATION FOR ORDER
TO TAKE EVIDENCE PURSUANT TO
28 U.S.C. § 1782**

Date: July 28, 2023

Time: 1:00 p.m.

Courtroom: F, 15th Floor

1 I, Nury Siekkinen, declare as follows:

2 1. I am an attorney in the law firm of ZwillGen PLLC and a member of the Bar of the
3 District of Columbia, the Bar of the State of Florida, and the Bar of the State of Illinois. I am one of
4 the counsel for Respondent Discord Inc. in this action. As such, I have personal knowledge of all
5 facts contained in this declaration, and, if called upon to testify, I could and would testify
6 competently to the truth of each statement contained herein.

7 2. On May 22, 2023, Path Network, Inc. and Tempest Hosting, LLC (collectively,
8 “Applicants”) filed an *Ex Parte* Application for an Order to take evidence pursuant to 28 U.S.C. §
9 1782 (the “Application”).

10 3. On May 31, 2023, the Court issued an Order setting a June 14, 2023 deadline for
11 Applicants to serve a copy of their Application and the Court’s May 31 Order on Discord Inc.
12 (“Discord”).

13 4. On June 1, 2023, Discord’s Registered Agent was served with the May 31, 2023 Order
14 and Application.

15 5. On June 6, 2023, the Court ordered an in-person hearing on July 28, 2023 regarding
16 the *Ex Parte* application. ECF 7.

17 6. I reside in Tampa, Florida and appearing in-person at the July 28 hearing would
18 require costly travel. Attending the July 28 hearing by videoconference will save my client
19 considerable legal fees and expenses.

20 7. In addition, I have a previously scheduled commitment in Tampa, Florida on July 28.
21 Though that commitment would not prevent me from attending a videoconference hearing.

22 8. Specifically, that commitment is an appointment for my minor child with a medical
23 specialist at 9 am in Tampa which was made in March. It is my understanding that rescheduling
24 would mean months more time before another appointment would be available with this specialist.

25 9. Anna Hsia of ZwillGen Law PLLC (who has appeared as counsel for Discord in this
26 matter) has a scheduling conflict and cannot attend the hearing. However, Alexei Klestoff of
27 ZwillGen Law PLLC can attend the hearing as local counsel for Discord if the Court so desires.
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1 10. I have expertise which is highly relevant to this matter, specifically concerning the
2 Stored Communications Act and Section 1782 Applications.

3 11. No party will be prejudiced, nor should the Court's administration of this case be
4 impacted, by my remote appearance.

5 I declare under penalty of perjury that the foregoing is true and correct.

6 Executed this 25th day of July, 2023 in Tampa, Florida.

7
8 By: 

9 Nury Siekkinen
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